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In re Application of :
KOSCHINSKY et al :
Application No.: 10/587,429 :
PCT No.: PCT/US2005/006437 :
Int. Filing Date: 28 February 2005 : DECISION
Priority Date: 27 February 2004 :
Attorney Docket No.: IOM-P054 :
For: IONTOPHORETIC ELECTRODE :
:

The decision is in response to applicants' petition under 37 CFR 1.182 filed in the USPTO on 02 August 2007.

BACKGROUND

On 28 February 2005, applicants filed international application PCT/US2005/006437 which designated the United States and claimed a priority date of 27 February 2004. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 15 September 2005. The thirty-month period for paying the basic national fee in the United States expired at midnight on 28 August 2006 (27 August 2006 being a Sunday).

On 26 July 2006, applicants filed a transmittal letter for entry into the national stage in the United States, which was accompanied by, *inter alia*, the basic national fee.

On 23 March 2007, the United States Designated/Elected Office (DO/EO/US) mailed a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 (Form PCT/DO/EO/903) indicating, *inter alia*, that an oath or declaration in compliance with 37 CFR 1.497(a)-(b) was required.

On 23 April 2007, applicants filed a submission including a declaration of inventors.

On 29 June 2007, the DO/EO/US mailed a NOTIFICATION OF DEFECTIVE RESPONSE (Form PCT/DO/EO/917) indicating, *inter alia*, that the declaration of inventors filed 23 April 2007 was not in compliance with 37 CFR 1.497(a)-(b) because the second inventor's first name on the declaration did not correspond with the name on the published application.

On 02 August 2007, applicants filed the instant petition under 37 CFR 1.182, which was accompanied by an affidavit of James D. Isaacson.

DISCUSSION

The petition fee has been paid. The statement of James D. Isaacson is accepted. The declaration of inventors filed 23 April 2007 is in compliance with 37 CFR 1.497(a)-(b).

CONCLUSION

For the reasons set forth above, the petition under 37 CFR 1.182 is **GRANTED**.

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations to continue national stage processing of the application.



Daniel Stemmer
Legal Examiner
PCT Legal Affairs
Office of Patent Cooperation Treaty
Legal Administration
Telephone: (571) 272-3301
Facsimile: (571) 273-0459